

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROCHE PALO ALTO LLC,	X	
	:	
Plaintiff / Counterclaim-Defendant,	:	
	:	
v.	:	C.A. No. 10-cv-00261-GMS
	:	
ENDO PHARMACEUTICALS INC.,	:	
	:	
Defendant / Counterclaim-Plaintiff.	:	
	X	

STIPULATION AND [PROPOSED] ORDER

Pursuant to Federal Rule of Civil Procedure 41(a)(2), IT IS HEREBY STIPULATED, by and between the undersigned, as follows:

1. The Court has jurisdiction over the subject matter of this action and over the parties.
2. Roche Palo Alto LLC ("Roche") is the owner of U.S. Patent No. 6,083,953 (the "953 Patent").
3. On March 27, 2012, Roche and Endo entered into an agreement to settle this action (the "Settlement Agreement") and a license agreement (the "License Agreement").
4. Endo will not make, have made, use, offer for sale, or sell the ANDA Product in the United States or import the ANDA Product into the United States except as provided for in the License Agreement.
5. Subject to the terms and conditions of this Stipulation and Order, all claims and counterclaims in this action are dismissed without prejudice.
6. The Court retains and shall have exclusive jurisdiction to enforce the terms of this Stipulation and Order, the Settlement Agreement, and the License Agreement.

7. Each party shall bear its own costs, expenses, and attorneys' fees incurred in prosecuting or defending this action.

8. Nothing herein prohibits or is intended to prohibit Endo from maintaining a "Paragraph IV Certification" pursuant to 21 U.S.C. § 355(j)(2)(A)(vii)(IV) (including as amended or replaced) or pursuant to 21 C.F.R. § 314.94(a)(12) (including as amended or replaced) with respect to the '953 Patent.

9. Nothing herein restricts or is intended to restrict the U.S. Food and Drug Administration from approving the Endo ANDA Product.

Jointly Submitted By:

/s/ Tara D. Elliott

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SO ORDERED this ____ day of _____, 2012

UNITED STATES DISTRICT JUDGE